

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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OXFORD HEALTH INSURANCE, INC., OXFORD
HEALTH PLANS (NY), INC., UNITED
HEALTHCARE INSURANCE COMPANY OF
NEW YORK, INC. and UNITED HEALTHCARE
SERVICES, INC.,

Civil. Action No.
13-CV-375 (AKH)(KNF)

Plaintiffs,

-against-

DANIEL HAMNER, M.D., DANIEL HAMNER
PHYSICIAN, P.C., DANIEL HAMNER, M.D., P.C.,
ALLAN CHRISTOPHER AS EXECUTOR FOR
THE ESTATE OF ANNE M. CHRISTOPHER,
RICHARD HAMNER, ERIKA MACBRIDE,
RAINA HAMNER and RAE BAYMILLER,

Defendants.
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**NOTICE OF
MOTION**

**DOCUMENT
ELECTRONICALLY
FILED**

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law and upon all pleadings and prior proceedings heretofore had herein, Plaintiffs Oxford Health Insurance, Inc., Oxford Health Plans (NY), Inc., United Healthcare Insurance Company of New York, Inc. and United HealthCare Services, Inc. (“Plaintiffs”), by their attorneys, Sedgwick LLP, will move this Court at a date and time designated by the Court, before the Honorable Alvin K. Hellerstein, at 500 Pearl Street, Courtroom 14D, New York, New York 10007, for an Order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, granting Plaintiffs’ motion to dismiss the counterclaim asserted by Defendant Allan Christopher as Executor for the Estate of Anne M. Christopher (the “Executor”) against Plaintiffs in the Executor’s Answer to Plaintiffs’ Amended Complaint, and for such other and further relief as the Court deems just and proper.

Dated: New York, New York
November 19, 2013

Respectfully submitted,

SEDGWICK LLP

s/ Michael H. Bernstein
Michael H. Bernstein (MB 0579)
John T. Seybert (JS 5014)
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CERTIFICATE OF SERVICE

I, Michael H. Bernstein, hereby certify and affirm that a true and correct copy of the attached **NOTICE OF MOTION** was served via ECF on November 19, 2013, upon the following:

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Dated: New York, New York
November 19, 2013

s/ Michael H. Bernstein
MICHAEL H. BERNSTEIN (MB 0579)